city commission agenda

June 22, 2020
3:30 PM
Virtual meeting

mayor & commissioners				
seat 1 Marty Sullivan	seat 2 Sheila DeCiccio	Mayor Steve Leary	seat 3 Carolyn Cooper	seat 4 Todd Weaver

Virtual City Commission public comment procedures:

- **Please see the link below for instructions on providing public comment: https://cityofwinterpark.org/cclive.**
- **If you would like to provide comments prior to the meeting, please send them to MayorandCommissioners@cityofwinterpark.org. These comments will be received by the City Commissioners and staff, however, will not be read publicly into the record during the meeting. This is consistent with our normal procedures for emails received prior to a City Commission meeting.**

agenda

*times are projected and subject to change

1. **Meeting Called to Order**
2. **Invocation**

   Parsram Rajaram, Director of Information Technology

   Pledge of Allegiance
3. **Approval of Agenda**
4. **Mayor's Report**
5. **City Manager's Report**

   a. **90-Day Report** 5
6. **City Attorney's Report**
7. **Non-Action Items**
8. **Citizen Comments | 5 p.m. or soon thereafter**

   (if the meeting ends earlier than 5:00 p.m., the citizen comments will be at the end of the meeting)

(Three (3) minutes are allowed for each speaker)

9. Consent Agenda

- **a. Approve the minutes of June 8, 2020** — 1 minute
- **b. Budget Schedule FY 2021** — 1 minute
- **c. Approve the following contract item:** — 1 minute
  1. HDD of Florida: Increase allowable spend under RFP-15-2019 – Underground Conduit/Pipe Installation Services; Not to exceed $750,000.
- **d. Approve the following purchase:** — 1 minute
  1. Felix Associates of Florida: Additional asphalt mill and overlay of Fairbanks Avenue, including replacement of all crosswalks; $334,531.06

10. Action Items Requiring Discussion

- **a. East Central Florida Regional Resilience Collaborative Memorandum of Understanding** — 15 minutes
- **b. Board Appointments** — 15 minutes
  - Acknowledge City Commission appointments
  - Winter Park Police Officers Pension Board (2 members)
  - Winter Park Firefighters Pension Board (2 members)
  - Winter Park Library Board of Trustees (Commission appointment)

11. Public Hearings

- **a. FDOT Fairbanks Donation (Right of Way Designations)** — 5 minutes
  - Ordinance 3176-20 - Authorizing conveyance of city-owned property located adjacent to north right-of-way of S.R. 426 east of Harper Street (Second Reading)
  - Ordinance 3177-20 - Authorizing conveyance of city-owned property located adjacent to S.R. 426 within the right-of-way of Harper Street. (Second Reading)
- **b. Micromobility Prohibitions** — 20 minutes

  Ordinance - Prohibitions on use of micromobility devices and motorized scooters (First Reading)
- **c. Resolution 2232-20** — 5 minutes

  Changing regular Commission meeting day from Monday to Wednesday at 3:30 p.m.

12. City Commission Reports

a. Commissioner Weaver 15 minutes

Request to discuss and reconsider the vote on the GAI contract for the OAO data and analysis work.

13. Summary of Meeting Actions

Appeals and Assistance

"If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F.S. 286.0105)

"Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-599-3277) at least 48 hours in advance of the meeting."

city commission **agenda item**

item type Invocation	meeting date 6/22/2020
prepared by City Clerk	approved by
board approval final vote	
strategic objective	

subject

Parsram Rajaram, Director of Information Technology

motion / recommendation

background

alternatives / other considerations

fiscal impact

city commission agenda item

item type City Manager's Report	meeting date 6/22/2020
prepared by Budget and Performance Measurement	approved by
board approval final vote	
strategic objective	

subject

90-Day Report

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

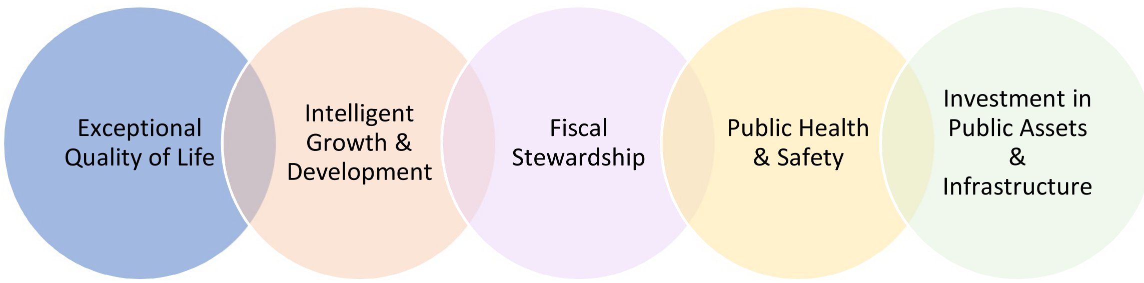
Description	Upload Date	Type
City Manager's Report	6/16/2020	Cover Memo

city commission **city manager's**

90-Day Report

This outline provides a timetable for issues and items that are planned to come before the commission over the next three months as well as the status of initiatives that do not have any determined completion date. These are estimates and will be updated on a monthly basis.

City of Winter Park Strategic Objectives



Upcoming Commission Items

Title 1: Fiscal Stewardship

Item	Description	Item Department	Item Date
Adoption of Tentative Millage Rate	Adoption of the Tentative Millage rate that will become part of TRIM notice for the 2020 property tax year.	Administration	July
Budget Presentation	Presentation of the Fiscal Year 2020-2021 Budget to the City Commission.	Administration	July
CRA Agency Budget	Review and approval of the CRA Budget by the Agency. Will include draft operating and capital plan. Final approval will be part of formal budget ordinances in September	Administration	Aug
Non-ad valorem assessments for Strowmwater fees	Discuss the collection of stormwater fees via non- ad valorem assessments on the property tax bill vs. City utility bill	Finance	Aug

Item	Description	Item Department	Item Date
Budget and Millage Ordinance Adoption	At the City Commission meetings on September 9th & 23rd, the first and second readings of the ordinance adopting the budget and millage rate, will be approved in accordance with statute.	Administration	Sept

Title 2: Intelligent Growth & Development

Item	Description	Item Department	Item Date
Constructive Noise Ordinance	Construction Noise Ordinance 1st reading in July. Notice is being given to local builders and to Greater Orlando Builders Association.	Building & Permitting	July

Title 3: Investment in Public Assets & Infrastructure

Item	Description	Item Department	Item Date
City Fiber Network	Contract for buildout of the City's private fiber network in response to ITN. Design is completed and deal points are being negotiated.	IT	July
Sewer Capacity	Purchase of additional sewer capacity at Altamonte Springs.	Water & Sewer	July
Wastewater Interlocal Contract	Renewal of Conserv II sewer treatment contract with Orlando.	Water & Sewer	July
New York Avenue Streetscape	Signed plans and permits received. Contract amendment on consent agenda tentatively for July to address procurement of materials. Construction meetings will begin thereafter. Improvement highlights include pedestrian crosswalks, ADA compliant intersection improvements, and mast arms at Fairbanks and New York.	CRA	July

Item	Description	Item Department	Item Date
Wastewater Interlocal Capital Contribution Payment	Finalize approval with the City of Orlando for waste water plant upgrades.	Water & Sewer	Aug

Additional Items of City Interest

Title 4: Exceptional Quality of Life

Item	Description	Item Department
Agenda Management Program	In coordination with the Accessibility Requirements, the City is upgrading to an ADA compliant agenda management program. Staff is currently training on this software and hopes to go live with the Commission in July.	IT
MLK Park Plan	City has contracted professional services through Dix-Hite to conduct review of MLK master plan, assessment of neighborhood connectivity with MLK Park and Library/Event Center, and provide suitable options for replacement of Shady Park spray feature. CRA has ability to address some improvements at this site with potential funding as part of the CRA CIP.	Parks
Public Art for I-4	Design selection by the Public Art Advisory Board was approved by the City Commission and the winning company, RLF, will finalize construction costs and options to bring the project in at the $150k budget. This public art project, paid for by FDOT, is planned to be installed at the NE corner of W. Fairbanks and I-4.	Administration

Title 5: Intelligent Growth & Development

Item	Description	Item Department
City Hall Audio Visual and Broadcast System	The City Hall AV system needs to upgrade and modernize to: accommodate remote Commissioner participation, provide closed captioning to comply with ADA requirements, allow for effective audience overflow, and improve user experience.	IT
Permitting Software Upgrade	The building department is currently upgrading their platform to Energov to improve process time, data management, and efficiency. Go live date is expected in July	Building

Title 6: Investment in Public Assets & Infrastructure

Item	Description	Item Department
17/92 Corridor	Staff is currently working with FDOT Arterial Team to assess needs and scope for model development and funding needs. CRA has reserved funds for this project. The city will work with FDOT on design and other associated improvements such as coordinating of utility undergrounding, landscaping, and water & sewer improvements, over the next couple months. The corridor traffic modeling effort is underway with data collection.	CRA
Electric Undergrounding	Miles of Undergrounding performed Project G: 4.1 miles 87% complete Project I: 6.9 miles 25% complete Project M: 90% complete Project W: 65% complete TOTAL so far for FY 2020: 2.9 miles	Electric
Fairbanks Transmission	End of June 2020 is the estimated completion date for the Fairbanks transmission project by Duke.	Electric
Lakemont Avenue	Scope to be determined. Work to be tentatively performed by new transportation planner position in conjunction with the Public Works and Planning Departments.	Public Works

Item	Description	Item Department
Lakes Health Analysis	The Natural resources division of Parks (where lakes management now resides) along with Public Works, are preparing a presentation detailing historic and existing lake water quality along with previously implemented improvement projects and proposed future projects for information and discussion. It will illustrate excellent, good and impaired water quality criteria and where the City lakes rank accordingly.	Parks
Parks and Recreation Bike Path and Green Spaces Plan	Will be part of the overall Transportation Master Plan being performed by the Planning and Public Works Departments.	Public Works

city commission agenda item

item type Consent Agenda	meeting date 6/22/2020
prepared by Assistant City Manager	approved by
board approval final vote	
strategic objective	

subject

Approve the minutes of June 8, 2020

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

Description	Upload Date	Type
Minutes of June 8, 2020	6/15/2020	Backup Material

City Commission
Regular Meeting Minutes

June 8, 2020 at 3:30 p.m.

City Hall, Commission Chambers
401 S. Park Avenue | Winter Park, Florida

Present

Mayor Steve Leary
Commissioner Marty Sullivan
Commissioner Sheila DeCiccio
Commissioner Carolyn Cooper
Commissioner Todd Weaver

Assistant City Manager Michelle Neuner
City Attorney Kurt Ardaman
City Clerk Rene Cranis

1. Meeting called to order

The meeting was conducted via GoToWebinar.

Mayor Leary called the regular meeting of the City Commission to order at 3:31 p.m.

2. Invocation and Pledge of Allegiance

Peter Moore, Division Director of Office of Management and Budget provided the invocation followed by the Pledge of Allegiance.

3. Approval of Agenda

No changes.

4. Mayor's Report

Mayor Leary commented on the challenges in the nation and community given recent events. He expressed pride in the Police Department and requested that the Civil Service Board review Police Department policies and procedures regarding use of force and other tactics utilized when dealing with the public to ensure the Police Department is operating under best practices. Approved by consensus.

5. City Manager's Report

No report.

6. City Attorney's Report

7. Non-Action Items

a. Micromobility Prohibition Discussion

Director of Planning and Transportation Bronce Stephenson stated this is in response to commission's request to address micromobility devices operation on sidewalks. The proposed changes restrict the use of micromobility devices within the city.

Attorney Ardaman reviewed recent changes to State Statutes and explained that the proposed ordinance limits the ability of micromobility devices to be operated on sidewalks and streets and prohibits them in the Central Business District (CBD). Devices could be allowed in residentially zoned areas with speed limitations, which need to be added into the ordinance. He responded to questions stating that without this ordinance, micromobility must be allowed where bicycles are allowed.

Discussion ensued on the legality of prohibition; enforcement of regulations, i.e., in multi-jurisdictional areas like Cady Way Trail, inclusion of Segway devices or scooters as a micromobility device, operation of devices in residential areas on the sidewalk and streets, differentiation between and regulation of commercial and personal use, and safety of operation within CBD.

In response to questions, Mr. Ardaman stated that if the city does not have an ordinance in place, then State Statute controls and gives the micromobility devices and motorized scooters more leeway and recommended moving forward.

Mr. Stephenson stated that staff feels there is some urgency to move forward and suggested the Commission take steps to prohibit these devices and refer this to the Transportation Advisory Board to review.

Upon comments by Commissioner Weaver, Mr. Ardaman advised that the ordinance can establish different rules for commercial operation and personal operation.

Discussion was held on the feasibility of a moratorium versus prohibiting commercial use while the Transportation Advisory Board reviews the ordinance. Mr. Ardaman recommended a prohibition which does not require action within a certain timeframe as opposed to a moratorium which requires the city to act with a specified time frame. He said restrictions and prohibitions for both commercial and personal use can be addressed in a prohibiting ordinance.

Consensus was to direct staff to prepare an ordinance prohibiting commercial operation and allow personal operation in certain areas, i.e. in the CBD, streets with designated bike lanes, residential neighborhoods, with first reading on June 22nd and review by the Transportation Advisory Board.

9. Consent Agenda

a. Approve the minutes of May 11, 2020
b. Approve the minutes of May 13, 2020 **(Pulled by Commissioner Sullivan for discussion)**
c. Approve renewal of lease agreement with Historical Association.
d. Approve the following contract items:
   1. Associated Consultants International; Le-Huu Partners; Zyscovich: Amendment to renew RFQ-3-2017 – Continuing Professional Architectural Services; to be utilized on an as-needed basis.
   2. SGM Engineering; Calvin, Giordano & Associates: Amendment to renew RFQ-9-2019 – Continuing Professional MEP Engineering Services; to be utilized on an as-needed basis.

Motion made by Commissioner Cooper to approve the Consent Agenda; seconded by Commissioner DeCiccio.

Commissioner Sullivan pulled Item 9b for discussion. He commented on Commissioner Cooper's motion to conduct an independent audit of Library and Event Center Process. He said he understood the audit was to begin with the team selection process and also include the process for site selection and process of selection of the architect and asked that these be included in the audit. (For clarification only, no action was taken to amend the minutes.)

There were no public comments. **Upon a roll call vote to approve the Consent Agenda as presented, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.**

10. Action Items Requiring Discussion

a. Construction Noise Prohibitions

George Wiggins, Director of Building and Permitting Services, reviewed current code provisions, prohibitions in surrounding agencies, programs available to reduce impact of commercial construction, and options to permitted start time and end times.

Members of the commission discussed different hours and days for commercial and owner-construction and the impact to contractors and homeowners of reducing the hours. Mr. Wiggins stated that he would notify local contractors and building associations of the changes.

Consensus was to direct staff to draft an ordinance changing commercial construction hours Monday through Friday to 7 a.m. to 8 p.m., Saturday 8 a.m. to 6 p.m. and make no changes to Sunday hours.

8. Citizen Comments

Kamal Pourmoghadam, 245 Salvador Square, spoke in support of the City's plan to improve the drainage for Kings Way and Fawsett Road which will reduce flooding and erosion of their property and thanked city staff for their work on these improvements. Staff was directed to communicate the schedule with Mr. Pourmoghadam.

10. Action Items Requiring Discussion (continued)

b. Discussion of meeting days and times.

Mrs. Neuner provided information on average meeting duration for the prior year.

Discussion followed on different days that would allow more opportunity to discuss agenda items with staff in preparation for the meetings. Consensus was to change the meetings to the second and fourth Wednesday at 3:30 p.m.

Mrs. Neuner recommended that the change be implemented with the first meeting in July. (July 8^{th}) which will be the Commission's first live meeting since the beginning of the COVID19 pandemic.

Commissioner Cooper said she would like to clarify in the Commission's governance ordinance and what items must be heard after 5:00 p.m. She suggested a policy that states meetings will end time no later than 10:00 p.m. and any items not discussed be carried forward to the next meeting. Discussion followed on the impact to the applicants and public on moving unheard agenda items to the next meeting.

Mayor Leary declared a recess at 5:28 p.m. and reconvened the meeting at 5:45

c. OAO

Mr. Stephenson stated staff recommends moving forward with the scopes of work as presented.

Motion made by Commissioner Cooper to accept the GAI Scope of Work as presented; seconded by Commissioner Sullivan.

Motion made by Commissioner Cooper to approve the Kimley Horn Scope of Work with the following amendments including funding for Tasks 1-4, and set Task 4 as a future project. Motion failed for lack of second.

- Page 1, (before Task 1) - add Project Understanding and Schedule.
- Task 1, amend to read - "The development scenarios will be identified by City (currently OAO Subareas D, I and J floor area ratio (FAR) assumed to be 60%, 130%, 150%, and 200% and 45% of each of the other Subareas assumed to develop to their maximum entitled FAR (Subarea A - 65%; Subarea B - 60%; Subarea E -80%; Subarea F- 20%; Subarea G- 45%; Subarea K – 80%). These FAR will include the square footage of the parking garages. The development scenarios will reflect a consistent mix of use across all development programs. Resulting scenarios will be finalized by City prior to NTP).
- Task 1, roadway segment list – change "Palmetto from Orlando to Fairbanks" to "Palmetto from Orlando to Denning" and delete Lake Midget and Orwin Manor.
- Page 1, last paragraph, revise to read "… and neighborhood impacts (including but not limited to Orwin Manor, Garden District and Lake Midget neighborhoods)…"
- Task 2, revise to read "…summary on the respective pros and cons and differences…"
- Task 4, study area intersection list, delete Orange/Cypress and add Orange/Fairbanks, Fairbanks/Denning, Fairbanks/Chase, and Fairbanks/Clay.
- Task 4, include AM peak hour intersection Level of Service and analysis.
- Task 4, add "Roadway improvements referenced above to be recommended by KH based on their analysis. KH to provide engineers estimate of probable cost for the corridor improvements. The City shall approve recommended roadway and intersection improvements prior to use in modeling.

Mr. Stephenson responded to questions clarifying the scope of work as it relates to the fee, intersection improvements and probable cost and traffic flow. Discussion followed on types of improvements and impact on intersections. Mr. Stephenson stated that KH has advised that completion of Task 3 may provide an opportunity to reduce the scope of Task 4 and that new additions to Task 4 will significantly increase the cost but are unlikely to provide the city with much added value.

Commissioner Cooper suggested that the scope include the before and after impact of corridor improvements.

Motion made by Commissioner Cooper to approve the scope of work and funding for Tasks 1-4 as amended with pause after Task 3 to review and refine the scope and the cost for Task 4 and add to Task 1 that the City will be provided an analysis of the road segments with and without corridor improvement; seconded by Commissioner Sullivan.

Mayor Leary stated that KH indicated that the scope is beyond what they would normally do for this and said he is opposed to any part of this due to the cost and because developers would be performing these studies at their own expense.

Commissioner DeCiccio spoke in opposition to spending any money. She read portions of a KH study dated May 22nd which provides needed data and analysis and contains information that is part of the statement of work.

There were no public comments.

Additional discussion was held on the scope of work and the need and ability to obtain data and analysis prior to moving forward with the OAO process and the costs of each study.

Upon a roll call vote on the motion to approve the GAI scope of work, Commissioners Sullivan and Cooper voted yes and Mayor Leary and Commissioners DeCiccio and Weaver voted no. Motion failed with a 2-3 vote.

Upon a roll call vote to approve the Kimley Horn scope of work and funding for Tasks 1-4 as amended and with a pause after Task 3, Commissioners Sullivan and Cooper voted yes and Mayor Leary and Commissioners DeCiccio and Weaver voted no. Motion failed with a 2-3 vote.

Motion made by Commissioner Cooper to approve the GAI Scope of Work and approve the Kimley Horn scope of work and funding for Tasks 1-3. Motion failed for lack of second.

Motion made by Commissioner Cooper to approve the Kimley Horn Scope of Work and funding for Tasks 1-3, seconded by Commissioner DeCiccio. Upon a roll call vote, Commissioners Sullivan, DeCiccio and Cooper voted yes and Mayor Leary and Commissioner Weaver voted no. Motion carried with a 3-2 vote.

11. Public Hearings

a. FDOT Fairbanks Donation (Right-of-Way Designations)

- Ordinance - Authorizing conveyance of city-owned property located adjacent to north right-of-way of S.R. 426 east of Harper Street (First Reading)
- Ordinance - Authorizing conveyance of city-owned property located adjacent to S.R. 426 within the right-of-way of Harper Street. (First Reading)
- Resolution - Designating a three-foot strip of land adjacent to Harper Street as part of the city's street system as public right-of-way.

A simultaneous public hearing was held on these items. Attorney Ardaman read the ordinances by title.

Motion made by Commissioner Cooper to approve the ordinances on first reading, seconded by Commissioner Weaver.

Motion made by Mayor Leary to approve the resolution and seconded by Commissioner Cooper.

Public Works Director Troy Attaway stated that the right-of-way conveyance to FDOT allows for lengthening the left-turn lane on Fairbanks with construction anticipated to start January 2021.

There were no public comments. **Upon a roll call vote on the motion to approve ordinance conveying the property adjacent to S.R. 426, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.**

Upon a roll call vote on the motion to approve the ordinance conveying the property within the right-of-way of Harper Street, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

Upon a roll call vote on the motion to approve the resolution, Mayor Leary and Commissioners Sullivan, DeCiccio, Cooper and Weaver voted yes. Motion carried unanimously with a 5-0 vote.

12. City Commission Reports:

Commissioner Sullivan

- Asked staff to look at options resuming virtual board meetings such as Zoom. Ms. Neuner advised that staff is holding virtual board meetings but also is preparing to hold in-person meetings at the expiration of Governor's executive order on June 30th.
- Asked that the City Commission approve the auditor for the Library and Event Center project process. Ms. Neuner stated that City Manager Randy Knight will present the scope of work and auditor recommendations to the Commission for approval.

Commissioner DeCiccio

- Asked for an update on Morse/17-92 intersection improvements. Mr. Stephenson stated that staff has worked with FDOT for solutions who approved a Leading Pedestrian Interval which will be installed on Thursday. Commissioner DeCiccio asked staff notify Trade Joe's of these improvements.
- Asked for status of getting sanitizer and masks. Ms. Neuner stated the city is still waiting on its larger order, but have sufficient quantity.
- Asked for the policy on wearing masks at Farmer's Market. Mrs. Neuner stated that the city recommends visitors wear masks and will re-address the matter with the vendors.
- Asked for that Commission meeting actions be posted publicly. Mrs. Neuner said a summary will be posted on the website beginning with this meeting.

Commissioner Cooper

- Thanked the Police Chief and City Manager for their efforts relating to protests and reviewing police procedures the prior weekend. She encouraged the Civil Service Board to receive public input as they address procedural and policy changes.

- Expressed displeasure in Commission's action on the OAO data and analysis which she feels now prevents the public from seeing visuals of what may be created on Orange Avenue.
- Commented on moving forward with Overlay and schedule work sessions to move forward. Need to prepare new schedule.
- Asked when departmental budget presentations will be made. Mrs. Neuner stated the intent to have in July.
- Asked about signage at 17-92/Morse intersection. Mr. Attaway stated that a No Turn on Red sign on Morse would not be appropriate or improve pedestrian safety since 17-92 traffic would have a green light. Commissioner Cooper asked about Gay Road. Mr. Attaway said the city is looking at same option.

Commissioner Weaver

- Commented on meeting access and suggested continuing to allow public comment by phone or virtually. Consensus was to have staff research options for allowing remote public participation.
- Explained that the East Central Florida Resilience Coalition is a group of agencies that study common areas of interest and requested that a representative speak at next meeting and that the city enter into a Memorandum of Understanding to join the group to have voice in regional interests. Approved by consensus.
- Thanked Police Department and citizens for a holding a peaceful protest in Central Park.
- Spoke on the scopes of work and the OAO stating that he is not comfortable with direction this is taking. He feels the ultimate problem is speeding and there are ways to reduce speeds without significant impact and that he will oppose three-lanes on Orange Avenue.

Mayor Leary

- Said he appreciates everyone's position on the OAO but he does not feel the city should spend the money on the data and analysis.
- Commented on the removal of the transmission poles on Fairbanks Avenue and expressed his pride of the work done on Fairbanks and the partnership with Duke Energy and public agencies.

Summary of Commission Actions

- Staff to direct the process for the Civil Service Board's review of police policies and procedures.
- Staff to schedule first reading of a micromobility ordinance for June 22, followed by review of Transportation Advisory Board
- Commission members to submit items to staff for scope of work on the Library and Event Center audit.
- Staff to prepare an ordinance modifying hours for construction (Monday-Friday 7 a.m. to 8 p.m., Saturday 8 a.m. – 6 p.m., Sunday remains the same).

- Staff to prepare a resolution to schedule regular Commission meetings for Wednesday at 3:30, the first to be July 8th.
- Disapproved the GAI scope of work and approved the Kimley Horn scope of work Tasks 1-3.
- Approved ordinance on first reading to convey right-of-way on Fairbanks Avenue to FDOT and adopted resolution dedicating sidewalk on Harper Street.
- Staff to notify Trader Joe's of status of improvements at Morse/17-92 intersection.
- Encourage wearing masks at Farmer's Market.
- Post a meeting action summary on the website.
- Schedule a presentation by East Central Florida Resilience Coalition for June 22nd.

The meeting adjourned at 7:29 p.m.

Mayor Steve Leary

ATTEST:

City Clerk Rene Cranis, CMC

city commission **agenda item**

item type Consent Agenda	meeting date 6/22/2020
prepared by Budget and Performance Measurement	approved by City Manager, City Attorney
board approval N/A final vote	
strategic objective Fiscal Stewardship	

subject
Budget Schedule FY 2021

motion / recommendation
Approve the following schedule for budget presentations and adoption of the budget.

background
The City Commission has requested that Departments provide a presentation of their respective budgets. In order to provide clarity for scheduling purposes, offer time for feedback, and to meet timetables required by statute, staff is proposing the attached timeline for the hearing of presentations, adoption of tentative millage, input and review of Commission comments, and final readings of the budget and millage ordinances.

alternatives / other considerations
NA

fiscal impact
NA

ATTACHMENTS:

Description	Upload Date	Type
Budget Schedule	6/16/2020	Cover Memo

Budget Process Schedule

Date	Item	Time	Item	Location
July 8th	Budget Presentation Meeting	2:00 PM to 2:30 PM	Presentation of FY 2021 Proposed Budget	Community Center
	Department Budget Presentations	2:30 PM to 3:30 PM	Presentation of FY 2021 Budgets by: Planning, Fire, Police, Communications, and Parks Departments.	Community Center
July 20th	Department Budget Presentations	3:30 PM meeting starts	Presentation of FY 2021 Budgets by: Building, Water, Electric, Public Works, and IT Departments.	Community Center
July 22nd	Commission Meeting & Adoption of Tentative Millage Rate	3:30 PM meeting starts	Adoption of the Tentative Millage Rate at the City Commission Meeting	Community Center
July 24th	Distribution of Commission Comments Matrix	NA	Staff will provide Commissioners with a fillable form to make budget adjustment recommendations	Email
August 12th	CRA Agency Budget Review & Approval	2:00 PM to 3:30 PM	Review of the CRA annual budget and capital plan proposal.	City Chambers
	Commission Meeting & Public Comment on Budget	3:30 PM meeting starts	Regular Commission Meeting in which public comment can be received on the budget	City Chambers
August 14th	Completion of Commission Comments Matrix	NA	Commission comments due back to staff for inclusion for discussion at August 26th meeting	Email
August 26th	Commission Meeting & Public Comment on Budget	3:30 PM meeting starts	Regular Commission Meeting in which public comment can be received on the budget and Commissioner comments and suggestions to be reviewed	City Chambers
September 9th	First Reading of Budget & Millage Adoption	After 5:00 PM	First reading of the budget and millage ordinances to be adopted by Commission	City Chambers
September 23rd	Second Reading of Budget & Millage Adoption	After 5:00 PM	Second reading of the budget and millage ordinances to be adopted by Commission	City Chambers

city commission agenda item

item type Consent Agenda	meeting date 6/22/2020
prepared by Purchasing	approved by
board approval final vote	
strategic objective Fiscal Stewardship	

subject

Approve the following contract item:

1. HDD of Florida: Increase allowable spend under RFP-15-2019 – Underground Conduit/Pipe Installation Services; Not to exceed $750,000.

motion / recommendation

Commission approve item as presented.

background

A formal solicitation was issued to award this contract.

alternatives / other considerations

N/A

fiscal impact

Additional spend under the current contract term not to exceed $750,000.

city commission agenda item

item type Consent Agenda	meeting date 6/22/2020
prepared by Purchasing	approved by
board approval final vote	
strategic objective Fiscal Stewardship	

subject

Approve the following purchase:

1. Felix Associates of Florida: Additional asphalt mill and overlay of Fairbanks Avenue, including replacement of all crosswalks; $334,531.06

motion / recommendation

Commission approve item as presented.

background

Staff requests that Commission waive the procurement process as the vendor will already be on site performing similar services for Duke Energy.

alternatives / other considerations

N/A

fiscal impact

Total expenditure included in approved budget.

city commission agenda item

item type Action Items Requiring Discussion	meeting date 6/22/2020
prepared by Sustainability	approved by
board approval yes final vote	
strategic objective Intelligent Growth and Development, Public Health and Safety	

subject

East Central Florida Regional Resilience Collaborative Memorandum of Understanding

motion / recommendation

Motion to sign on as a member of the East Central Florida Regional Resilience Collaborative through the Memorandum of Understanding

background

The East Central Florida Regional Resilience Collaborative was created in 2019 for an 8 County area. The Collaborative will look to develop a Regional Resilience Action Plan. The Collaborative looks to align decisions and policies in service of a shared legislative regional resilience strategy. There are currently 25 Member Counties and Cites, and 6 Member Organizations and Agencies. The Keep Winter Park Beautiful and Sustainable Board supported the City signing on as a member of the Collaborative.

Jenifer Rupert of the East Central Florida Regional Planning Council will present a Memorandum of Understanding to the City Commission for the City of Winter Park to sign on as a member of the East Central Florida Regional Resilience Collaborative.

alternatives / other considerations

Remain as an observor

fiscal impact

Staff time to participate in Collaborative meetings

ATTACHMENTS:

Description	Upload Date	Type
Memorandum of Understanding	6/17/2020	Backup Material

The East Central Florida Regional Resilience Collaborative

Memorandum of Understanding

This memorandum of understanding (MOU) is entered into on this ____day of _______, 2020 among the undersigned members of the East Central Florida Region. All Parties are collectively referred to as the members or collaborative members.

Recalling the East Central Florida Regional Planning Council's (ECFRPC) resolution 03-2018 of 19 September 2018, in which the unanimous decision was made by the ECFRPC Board to support a program to convene stakeholders across disciplines and the East Central Florida region to develop the framework for a regional resilience collaborative, herein including the undersigned Members that make up the eight counties and municipalities of Brevard, Lake, Marion, Orange, Osceola, Seminole, Sumter, and Volusia:

1. *Express* profound gratitude to the East Central Florida Regional Planning Council, Council Sub-Committee and Steering Committee, who have articulated the importance of establishing a collaborative framework for action and are committed to implementing resilience measures as a guiding principle to enhance the efforts of our local jurisdictions, individually and collectively, for the future; and

2. *Endorse* the East Central Florida Regional Resilience Collaborative and the aforementioned resolution, which is contained in Annex I to the present resolution.

WHEREAS, the East Central Florida Region is home to more than 4.1 million residents as of 2018, approximately 20% of the population of the State of Florida, includes two of the four majority-minority counties in the State, hosts over 60 million visitors annually, and comprises one of the fastest growing metropolitan areas in the United States; and

WHEREAS, while the East Central Florida Region remains a service-driven economy where 45% of households qualify as asset- limited, income- constrained, employed according to the United Way's 2018 ALICE report, it is also considered a globally competitive marketplace ranking 38th in the nation according to the Stats America Innovation Index, and is a top ten metropolitan region for various patenting technologies thus indicating a high level of innovation, driving wealth creation in the region; and

WHEREAS, according to the East Central Florida Comprehensive Economic Development Strategy, the region has seven innovation clusters including tourism; aviation and aerospace; boats and other marine vessels; photonics; turbines;

modeling, simulation and training; and telecommunications; which positions the region for a diversified and transformative future workforce and economy; and

WHEREAS, water and natural resources are the foundation of communities and eco-tourism in the East Central Florida region and the protection of this biodiversity, its ecosystem services and the economic interdependencies are a critical issue facing the region; and

WHEREAS, recent weather, natural and manmade events have resulted in increasing shocks and stressors to our economy, human security, health and equity, natural environment and built infrastructure; and

WHEREAS, vulnerable and underserved people in our region are disproportionately impacted from the aforementioned events and from on-going stressors to their human security; and

WHEREAS, additional and enhanced regional approaches are needed to build on current efforts and increase adaptive capacities to improve resilience in confronting shocks and stressors; and

WHEREAS, this adaptation toward resilience must provide for the region's people, places, and prosperity in ways that promote mutual progress addressing risk exposure and vulnerability in conjunction with sustainability goals; and

WHEREAS, to support further all efforts that continue to mitigate the increasing impacts of hazards and their complexity in the region, we must elevate ways to work cooperatively across disciplines to identify issues, using existing mitigation strategy research with additional technical expertise to identify ways to improve resiliency, while supporting the local mitigation strategy and post disaster recovery planning to include input to measure continual improvement in the process; and

WHEREAS, the East Central Florida 2060 Strategic Regional Policy Plan identifies effects from climate change to our water availability, agriculture and food security, public health, infrastructure, natural resources, ecosystems services, and economy, and all are therefore appropriate subjects for this regional resilience effort; and

WHEREAS, the resilience of East Central Florida Region's people, places and prosperity rely on interconnected and multi-modal transportation infrastructure, including the spaceport, space center, seaport, trails, rail and other transit systems, roadways and airports; and

WHEREAS, promoting safe, affordable transportation, attainable housing choices, opportunities for safe physical activity, green and open spaces, local food systems, and clean energy use improves health outcomes and contributes to a region that is equitable and prosperous; and

WHEREAS, promoting high-performing, energy-efficient and resilience targets and policies for our built infrastructure reduces the region's risks and vulnerabilities; and

WHEREAS, promoting sustainable development that includes compact urban centers, preservation of agricultural landscapes, interconnected, multi-modal corridors, conservation areas, decreases the carbon footprint, increases our Members' fiscal sustainability and minimalizes conflicts in 'wildland and urban interface' areas, further supporting emergency management efforts; and

WHEREAS, the East Central Florida Region provides shelter during the evacuation of surrounding areas in times of disaster, and must plan effectively to accommodate future migration from high hazard areas; and

WHEREAS, good health is essential and instrumental to human survival, livelihood and dignity, and addressing health disparities and externalities will foster advances in our health systems, increase access to services, and build a more resilient region; and

WHEREAS, collaborating with public and private partners across jurisdictional boundaries will improve human and energy security and increase access to clean and affordable resources and sources of electricity and water; and

WHEREAS, several of our jurisdictions and agencies have taken steps to become more sustainable and resilient while continuing to advance economically and socially, all parties recognize that a coordinated and collaborative approach building on current efforts will best serve the region; and

WHEREAS, the development and success of a regional resilience collaborative depends on participation and commitment from cooperative networks and partnerships with local governments, federal, state and regional agencies, educational institutions, non-government organizations, philanthropic organizations, businesses, civil society, and other stakeholders to raise the level of our resilience; and

WHEREAS, this collaborative approach will position the region, jurisdictions and agencies to plan better for resilience, meet state and federal regulations and guidelines, and enable greater access to long-term financing sources;

NOW, THEREFORE, we call all stakeholders to action, aware that the realization of the new resiliency framework depends especially on our unceasing and tireless collective efforts to make the region and state more resilient in the decades to come for the benefit of our own and future generations, BE IT RESOLVED, BY THE East Central Florida Regional Planning Council and the MEMBERS AS SIGNED BELOW, EACH MEMBER WILL COMMIT TO THE FOLLOWING:

- Regional Cooperation – Create Productive Connectivity -

Each member shall commit appropriate staff resources and expertise, within budget constraints, to participate with other members in facilitating and advancing the work of the Regional Resilience Collaborative. A steering committee appointed by the ECFRPC will identify and report on opportunities for providing sustainable solutions for the current and future resilience of our built and natural environment, economy, and health and equity. The steering committee will draw on strategies and processes that address resilience, organize and direct integrated scientific and other technical research and analysis, and organize and structure its work and procedures toward these ends.

- Regional Resiliency Action Plan -

Each member shall work collaboratively to develop a Regional Resilience Action Plan that will identify specific initiatives with supportive and actionable data.

- Legislative Strategy -

Each member shall work to align individual decisions and policies in service of a shared legislative regional resilience strategy developed by the Regional Resilience Collaborative.

- Community Involvement -

Each member shall work collaboratively to recognize and engage the regional community, involving a diverse stakeholder representation in developing policies and recommendations for implementation of the Regional Resilience Action Plan.

- Annual Summit -

Each member shall participate in an annual regional summit to share knowledge, resources, and progress on the collaboration. In addition, the East Central Florida Regional Resilience Collaborative will coordinate with other coalitions in the State of Florida to identify opportunities and fulfill the specific initiatives of the Regional Resilience Action Plan and collaborative.

Approved for signature by the City of Winter Park City Commission at a regular meeting, assembled in Winter Park, Florida, on the ____ day of ___ 2020.

Attest:

_____________________________ _________________________________

Rene Cranis, City Clerk Steve Leary, Mayor

ANNEX I

East Central Florida Regional Planning Council

455 N. Garland Avenue, Orlando, FL 32801
Phone 407.245.0300 • Fax 407.245.0285 • www.ecfrpc.org

Hugh W. Harling, Jr. P.E.
Executive Director

Resolution #03-2018

**ADOPTED AT A MEETING OF THE
EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL**

Support of Regional Resilience Collaborative

WHEREAS, I certify that I am Chair of the East Central Florida Regional Planning Council (ECFRPC) duly organized under the laws of the State of Florida.

WHEREAS, the following is a true and correct copy of a resolution duly adopted at a meeting of the ECFRPC on the 19th day of September 2018, at which a majority of voting members was present, constituting a quorum and notice of said meeting was given in accordance with the Bylaws; and

WHEREAS, the Council recognizes the clear relationship between emergency management, planning and economic development and aims to continue to fill gaps within the region and pursue initiatives that will achieve measurable improvements and stress the importance of disaster risk reduction in building resilience;

WHEREAS, fostering resilience needs to be understood as a long-term effort and requires a holistic (whole systems approach) way of planning and preparation for the region;

WHEREAS, we recognize that the East Central Florida Regional Planning Council meetings provide a unique opportunity to come together to showcase our region's innovative work addressing stressors and shocks which illustrate how the Council structure and staff can support these efforts;

NOW, THEREFORE BE IT RESOLVED, that the East Central Florida Regional Planning Council reaffirms our commitment to regionalism and is supportive of a program to convene stakeholders across the region to develop the process and framework for a regional resilience collaborative (public, private, academia) to achieve a comprehensive and articulated approach that will position the Council as the mechanism for resilience. The Council further resolves to continue to actively engage in this process and encourage and participate in other resilience initiatives and enhance our contribution to sustainability efforts welcoming the opportunity to build capabilities and capacities at all levels.

Adopted by the East Central Florida Regional Planning Council at a regular meeting, assembled in Orlando, Florida, on the nineteenth day of September 2018.

Attest:

EAST CENTRAL FLORIDA
REGIONAL PLANNING COUNCIL

Leigh Matusick
Chair, ECFRPC

Hugh W. Harling, Jr.
Executive Director

city commission **agenda item**

item type Action Items Requiring Discussion	meeting date 6/22/2020
prepared by City Clerk	approved by
board approval final vote	
strategic objective	

subject

Board Appointments

- Acknowledge City Commission appointments
- Winter Park Police Officers Pension Board (2 members)
- Winter Park Firefighters Pension Board (2 members)
- Winter Park Library Board of Trustees (Commission appointment)

motion / recommendation

background

In accordance with the newly adopted board appointment process, each Commissioner and the Mayor will make their appointments to City advisory boards. Appointments to the the Pension Boards are made by majority vote of the Commission.

A member of the Commission must be appointed to the Library Board to replace former Commissioner Sprinkel.

Civil Service Board appointments are made in accordance with the Civil Service Code and Charter and will be made in December.

Housing Authority appointments are made in accordance with State Statutes and there are no appointments to be made to the Housing Authority as no member terms expire this year.

alternatives / other considerations

None

fiscal impact

None

ATTACHMENTS:

Description	Upload Date	Type

Board	Commission Member	Appointee
Board of Adjustments		
1	Commissioner Sullivan	Robert Trompke
2	Commissioner DeCiccio	Tom Sims, Jr.
3	Commissioner Cooper	Ann Higbie
4	Commissioner Weaver	Charles Steinberg
5	Mayor Leary	Aimee Hitchner
6	Mayor Leary	Michael Clary
7	Mayor Leary	Steve Heller
Code Compliance Board		
1	Commissioner Sullivan	Mary Sarah Johnson
2	Commissioner DeCiccio	Maria Bryant
3	Commissioner Cooper	Todd Boyer
4	Commissioner Weaver	Sherwin Sargeant
5	Mayor Leary	Terry Rooth
6	Mayor Leary	Paul Mandelkern
7	Mayor Leary	Clay Roesch
Community Redevelopment Advisory Board	Each commissioner shall appoint a resident or business owner within the CRA and the mayor shall appoint three members at large, which may or may not be residents or business owners within the CRA.	
1	Commissioner Sullivan	Sarah Grafton
2	Commissioner DeCiccio	Linda Faye Washington
3	Commissioner Cooper	Carol Rosenfelt
4	Commissioner Weaver	Christine Girand
5	Mayor Leary	John Caron
6	Mayor Leary	Terri Gagliano
7	Mayor Leary	Lambrine Macejewski

Board	Commission Member	Appointee
Construction Bd of Adj & Appeals	Mayor to appoint Fire professional.	
1	Commissioner Sullivan	John Page
2	Commissioner DeCiccio	Frank Pruitt
3	Commissioner Cooper	Susan Pendergraft
4	Commissioner Weaver	Bruce Thomas
5	Mayor Leary	Tony Apfelbeck
6	Mayor Leary	Frank Gay
7	Mayor Leary	Bill Maroon
Economic Development Advisory Board	One of the Mayor’s positions to be the Chamber President	
1	Commissioner Sullivan	Murray Scott Wilson
2	Commissioner DeCiccio	Drew Madsen
3	Commissioner Cooper	James Petrakis
4	Commissioner Weaver	Michelle Smith
5	Mayor Leary	Betsy Gardner Eckbert
6	Mayor Leary	Bill Segal
7	Mayor Leary	Michelle Heatherly
Golf Course Advisory Board		
1	Commissioner Sullivan	David Zach Webster
2	Commissioner DeCiccio	Matt Hurst
3	Commissioner Cooper	Nancy Freeman
4	Commissioner Weaver	William Rosenfelt
5	Mayor Leary	Hanna Wickham
6	Mayor Leary	Mark Reicher
7	Mayor Leary	David Meek

Board	Commission Member	Appointee
Historic Preservation Board		
1	Commissioner Sullivan	N. Lee Rambeau
2	Commissioner DeCiccio	Ann Sallee
3	Commissioner Cooper	Wade Miller
4	Commissioner Weaver	Aimee Spencer
5	Mayor Leary	John Skolfield
6	Mayor Leary	Drew Henner
7	Mayor Leary	Robert Schwetje
KWPB&S		
1	Commissioner Sullivan	Daniel Flipse
2	Commissioner DeCiccio	Carey Bond
3	Commissioner Cooper	Rosemarry Salow
4	Commissioner Weaver	Stephen Pategas
5	Mayor Leary	Ellen Wolfson
6	Mayor Leary	Ben Ellis
7	Mayor Leary	Clark Sprinkel
Lakes and Waterways Board		
1	Commissioner Sullivan	Robert Bendick
2	Commissioner DeCiccio	Lindsay Eriksson Siddiqui
3	Commissioner Cooper	Paul Missigman
4	Commissioner Weaver	Debbie Cunningham
5	Mayor Leary	Steve DiClemente
6	Mayor Leary	Tom Smith
7	Mayor Leary	Jack Goggin

Board	Commission Member	Appointee
Parks and Recreation Board		
1	Commissioner Sullivan	Jennifer Adams
2	Commissioner DeCiccio	Frank Baker
3	Commissioner Cooper	Kelly Price
4	Commissioner Weaver	Michael Perelman
5	Mayor Leary	Brian Furey
6	Mayor Leary	Drew Nasrallah
7	Mayor Leary	Chris Morrison
Planning & Zoning		
1	Commissioner Sullivan	Richard James
2	Commissioner DeCiccio	David Bornstein
3	Commissioner Cooper	Michael Spencer
4	Commissioner Weaver	Jim Fitch
5	Mayor Leary	Owen Beitsch
6	Mayor Leary	Laura Turner
7	Mayor Leary	Ross Johnston
Public Art Advisory Board		
1	Commissioner Sullivan	Charles Hamilton
2	Commissioner DeCiccio	Sara Segal
3	Commissioner Cooper	Jamieson Thomas
4	Commissioner Weaver	Danielle DeGuglimo
5	Mayor Leary	Jessica DeArcos
6	Mayor Leary	Elizabeth Gwinn
7	Mayor Leary	Danny Humphress

Board	Commission Member	Appointee
Transportation Advisory Board		
1	Commissioner Sullivan	Alexander Trauger
2	Commissioner DeCiccio	Rachel Andre
3	Commissioner Cooper	Katie Reischman
4	Commissioner Weaver	Jeffrey Osleeb
5	Mayor Leary	Micheal Dively
6	Mayor Leary	Jonathon Thigpen
7	Mayor Leary	Ray Waugh
Tree Preservation Board		
1	Commissioner Sullivan	John Nico
2	Commissioner DeCiccio	Jill Bendick
3	Commissioner Cooper	Margie Bridges
4	Commissioner Weaver	Meggen Wilson
5	Mayor Leary	Tom McMacken
6	Mayor Leary	Charles Bell
7	Mayor Leary	Lawrence Lyman
Utilities Advisory Board		
1	Commissioner Sullivan	Jack Miles
2	Commissioner DeCiccio	Michael Poole
3	Commissioner Cooper	Paul Conway
4	Commissioner Weaver	Mary Dipboye
5	Mayor Leary	Jacob Kuzman
6	Mayor Leary	Tate Scott
7	Mayor Leary	Karim Arja

Board	Commission Member	Appointee
WP Firefighters Pension Board	Members appointed by the city commission shall be approved by a majority vote of the city commission	
1		
2		
3	Elected by PD members	
4	Elected by PD members	
5	Appointed by trustees, confirmed by Commission	
WP Police Officers Pension Board	Members appointed by the city commission shall be approved by a majority vote of the city commission	
1		
2		
3	Elected by FD members	
4	Elected by FD members	
5	Appointed by trustees, confirmed by Commission	

city commission agenda item

item type Public Hearings	meeting date 6/22/2020
prepared by City Clerk	approved by
board approval final vote	
strategic objective Investment in Public Assets and Infrastructiure	

subject

FDOT Fairbanks Donation (Right of Way Designations)

- Ordinance 3176-20 - Authorizing conveyance of city-owned property located adjacent to north right-of-way of S.R. 426 east of Harper Street (Second Reading)
- Ordinance 3177-20 - Authorizing conveyance of city-owned property located adjacent to S.R. 426 within the right-of-way of Harper Street. (Second Reading)

motion / recommendation

Adopt ordinances on second reading.

background

At the City's request in order to extend the westbound left turn lane onto Orlando Avenue (17-92) the FDOT is widening SR 426 Fairbanks Avenue which requires additional right of way width. On 5/25/18 the City sold the parcel at the NE corner of Fairbanks Avenue and Harper Street and at the time of the sale reserved a twenty feet wide strip along the south property line adjacent to Fairbanks Avenue and a 3 feet wide strip along the west property line adjacent to Harper Street. The City is donating the reserved 20 feet wide strip along Fairbanks and the adjacent 20 feet wide strip of Harper Street to the FDOT for right of way of Fairbanks Avenue. The City is designating the 3 feet wide strip along Harper Street as public right of way to accommodate a sidewalk and provide direct access to the parcel at the NE corner of the intersection.

alternatives / other considerations

None

fiscal impact

None

ATTACHMENTS:

Description	Upload Date	Type
City Deed 100.1	5/7/2020	Cover Memo
City Deed 101.1	5/7/2020	Cover Memo

Donation Form	5/7/2020	Cover Memo
Ordinance Parcel 100	5/7/2020	Cover Memo
Ordinance Parcel 101	6/1/2020	Backup Material
Row Dedications Exhibit A	5/22/2020	Backup Material

03-BSD05-03/07
March 25, 2020
This instrument prepared by
Marika Tremblay
Under the direction of
DANIEL L. MCDERMOTT, ATTORNEY
Department of Transportation
719 South Woodland Boulevard
DeLand, Florida 32720-6834

PARCEL NO.	100.1
SECTION	75006
F.P. NO.	441197 1
STATE ROAD	426
COUNTY	ORANGE

CITY DEED

THIS DEED, made this _____ day of _________________, _________ by the CITY OF WINTER PARK, a Florida Municipal Corporation, ("Grantor"), to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, ("Grantee"): (Wherever used herein the terms Grantor and Grantee include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors, and assigns of organizations).

WITNESSETH: That the Grantor, for and in consideration of the sum of $1.00 and other valuable considerations, receipt and sufficiency being hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Orange County, Florida, viz:

PARCEL NO. 100 **SECTION 75006**
FP 441197-1

THAT PART OF:

"Lots 7, 8, 9, 10, 11, 13, 14, 15, 16, 17 and 18, Block 1, LAKE ISLAND ESTATES, according to the map or plat thereof as recorded in Plat Book M, Page 95, Public Records of Orange County, Florida.

TOGETHER with that portion of the vacated alley running East and West through Block 1, more particularly described as follows:

BEGINNING at the Northwest corner of Lot 7, Block 1, LAKE ISLAND ESTATES, according to the map or plat thereof recorded in Plat Book M, Page 95, Public Records of Orange County, Florida, thence North along the West line of said Lot 7 extended a distance of 10 feet, more or less, to the Southwest corner of Lot 18, Block 1; thence East along the South line of Lots 18, 17, 16, 15, 14 and 13 to the

Southeast corner of Lot 13, Block 1; thence South along the East line of Lot 13 extended South a distance of five feet, more or less, to the center line of said alley; thence Westerly along a line equal distance from the South line of Lot 13 and the North line of Lot 12, a distance of 59.7 feet, more or less, to a point of intersection with the East line of Lot 11 extended North; thence South along the extension of the East line of Lot 11 extended North a distance of five feet, more or less, to the Northeast corner of Lot 11; thence Westerly along the North line of Lots 11, 10, 9, 8 and 7 to the Northwest corner of Lot 7, being also the Point of Beginning."

(Being a portion of those lands described in Document #20160249822, Public Records of Orange County, Florida)

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at a 3"x3" concrete monument with no identification marking the Northeast corner of Lot 13, Block 1 of Lake Island Estates, as recorded in Plat Book "M", Page 95 of the Public Records of Orange County, Florida; thence North 89°39'20" West along the Northerly line of Lots 13, 14, 15, 16, 17, and 18, Block 1 of said Lake Island Estates, a distance of 309.70 feet to the Northwest corner of said Lot 18, Block 1; thence South 00°48'20" East along the Westerly line of said Lot 18, Block 1, and Lot 7 of said Block 1, a distance of 234.36 feet to the POINT OF BEGINNING; thence departing said Westerly line South 89°36'46" East along the Northerly line of the South 20.00 feet of Lots 7, 8, 9, 10, and 11, Block 1 of said Lake Island Estates, a distance of 250.00 feet to the Easterly line of said Lot 11, Block 1; thence departing said Northerly line South 00°48'18" East along said Easterly line, a distance of 20.00 feet to the Southeast corner of said Lot 11, Block 1, also being a point on the existing Northerly right of way line of State Road Number 426, as shown on Florida Department of Transportation Right of Way Map, Section 75006, Financial Project Number 441197 1; thence North 89°36'46" West along the Southerly line of said Lots 7, 8, 9, 10, and 11, Block 1, and said existing right of way line, a distance of 250.00 feet to the Southwest corner of said Lot 7, Block 1; thence North 00°48'20" West along the Westerly line of said Lot 7, Block 1, a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 5,000 square feet, more or less.

This legal description prepared under the direction of:

William H. Fulghum, PLS #4993
Volkert, Inc. LB 4641
3501 South Main Street
Gainesville, FL 32601
Date: March 26, 2019

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same together with the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the said Grantee forever subject to the provisions set forth on the attached Exhibit “A”.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name by its Authorized Representative, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.

Signed, sealed and delivered in
the presence of: Two witnesses
required by Florida Law

____
SIGNATURE LINE
PRINT/TYPE NAME:__________________

____
SIGNATURE LINE
PRINT/TYPE NAME:__________________

CITY OF WINTER PARK
A Florida Municipal Corporation

By: ______________________________

Its Authorized Representative

ATTEST: ______________________________

Its City Clerk

ADDRESS OF GRANTOR:

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me, by means of ❑ physical presence or ❑ online notarization, this _______ day of _______________, ______, by ______________________________, Authorized Representative of City of Winter Park, who is personally known to me or who has produced ______________________________ as identification.

____
PRINT/TYPE NAME:__________________
Notary Public in and for the
County and State last aforesaid.
My Commission Expires:__________________
Serial No., if any:__________________

EXHIBIT "A"

1. The Grantor shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the Grantor or require the Grantor to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.

2. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.

3. The Grantor shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the rights to trim such trees, brush and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the F.D.O.T.'s facilities.

4. The Grantor agrees to repair any damage caused by the Grantor to F.D.O.T.'s facilities and to indemnify to the extent permitted under Florida Law the F.D.O.T. against any loss or damage to F.D.O.T.'s facilities resulting from the Grantor exercising its rights outlined in Paragraph 1 and 3 above. Nothing herein shall act or be interpreted to limit the application of §337.402, Florida Statutes.

5. In the event Grantee fails to complete the construction of the improvements contemplated by and in accordance with the Contract Plans for F.D.O.T. Financial Project ID 441197-1-52-01 within five years from the date of recording this deed at no cost to Grantor, title to the subject property shall revert to Grantor.

03-BSD05-03/07
March 25, 2020
This instrument prepared by
Marika Tremblay
Under the direction of
DANIEL L. MCDERMOTT, ATTORNEY
Department of Transportation
719 South Woodland Boulevard
DeLand, Florida 32720-6834

PARCEL NO.	101.1
SECTION	75006
F.P. NO.	441197 1
STATE ROAD	426
COUNTY	ORANGE

CITY DEED

THIS DEED, made this _____ day of ________________, _________ by the CITY OF WINTER PARK, a Florida Municipal Corporation, (“Grantor”), to the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, (“Grantee”): (Wherever used herein the terms Grantor and Grantee include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors, and assigns of organizations).

WITNESSETH: That the Grantor, for and in consideration of the sum of $1.00 and other valuable considerations, receipt and sufficiency being hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Orange County, Florida, viz:

PARCEL NO. 101 **SECTION 75006**
FP 441197-1

THAT PART OF:

Being a portion of Harper Avenue, a 50.00 feet wide dedicated public right of way acquired by Eminent Domain Judgement recorded in Minute Book 8, Page 479 of the Records of Orange County, Florida

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at a 3”x3” concrete monument with no identification marking the Northeast corner of Lot 13, Block 1 of Lake Island Estates, as recorded in Plat Book “M”, Page 95 of the Public Records of Orange County, Florida; thence North 89°39’20” West along the Northerly line of Lots

13, 14, 15, 16, 17, and 18, Block 1 of said Lake Island Estates, a distance of 309.70 feet to the Northwest corner of said Lot 18, Block 1; thence South 00°48'20" East along the Westerly line of said Lot 18, Block 1, and Lot 7 of said Block 1, a distance of 234.36 feet to the POINT OF BEGINNING; thence continue along said West line of Lot 7, Block 1, a distance of 20.00 feet to the Southwest corner of said Lot 7, Block 1; thence North 89°36'46" West along a westerly projection of the existing Northerly right of way line of State Road Number 426, as shown on Florida Department of Transportation Right of Way Map, Section 75006, Financial Project Number 441197 1 a distance of 50.00 feet; thence North 00°48'21" West 20.00 feet to a westerly projection of the Northerly line of the South 20.00 feet of Lots 7, 8, 9, 10, and 11, said Block 1 of Lake Island Estates; thence South 89°36'46" East along said projection 50.00 feet to the POINT OF BEGINNING.

Containing 1,000 square feet, more or less.

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same together with the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantor, either in law or equity, to the said Grantee forever subject to the provisions set forth on the attached Exhibit "A".

IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name by its Authorized Representative, and its seal to be hereto affixed, attested by its City Clerk, the date first above written.

Signed, sealed and delivered in the presence of: Two witnesses required by Florida Law

CITY OF WINTER PARK
A Florida Municipal Corporation

____
SIGNATURE LINE
PRINT/TYPE NAME:______________________

By: _____________________________
Its Authorized Representative

____
SIGNATURE LINE
PRINT/TYPE NAME:_______________________

ATTEST: _____________________________
Its City Clerk

ADDRESS OF GRANTOR:

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me, by means of ❑ physical presence or ❑ online notarization, this _______ day of _______________, ______, by ______________________________, Authorized Representative of City of Winter Park, who is personally known to me or who has produced ________________________________ as identification.

____
PRINT/TYPE NAME:_____________________________
Notary Public in and for the
County and State last aforesaid.
My Commission Expires:__________________________
Serial No., if any:______________________________

EXHIBIT "A"

1. The Grantor shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with the F.D.O.T.'s current minimum standards for such facilities as required by the F.D.O.T. Utility Accommodation Manual in effect at the time the agreement is executed. Any new construction or relocation of facilities within the lands will be subject to prior approval by the F.D.O.T. Should the F.D.O.T. fail to approve any new construction or relocation of facilities by the Grantor or require the Grantor to alter, adjust, or relocate its facilities located within said lands, the F.D.O.T. hereby agrees to pay the cost of such alteration, adjustment, or relocation, including, but not limited to, the cost of acquiring appropriate easements.

2. Notwithstanding any provisions set forth herein, the terms of the utility permits shall supersede any contrary provisions, with the exception of the provision herein with reimbursement rights.

3. The Grantor shall have a reasonable right to enter upon the lands described herein for the purposes outlined in Paragraph 1 above, including the rights to trim such trees, brush and growth which might endanger or interfere with such facilities, provided that such rights do not interfere with the operation and safety of the F.D.O.T.'s facilities.

4. The Grantor agrees to repair any damage caused by the Grantor to F.D.O.T.'s facilities and to indemnify to the extent permitted under Florida Law the F.D.O.T. against any loss or damage to F.D.O.T.'s facilities resulting from the Grantor exercising its rights outlined in Paragraph 1 and 3 above. Nothing herein shall act or be interpreted to limit the application of §337.402, Florida Statutes.

5. In the event Grantee fails to complete the construction of the improvements contemplated by and in accordance with the Contract Plans for F.D.O.T. Financial Project ID 441197-1-52-01 within five years from the date of recording this deed at no cost to Grantor, title to the subject property shall revert to Grantor.

Florida Department of Transportation

RON DESANTIS
GOVERNOR

Office of Right of Way
719 South Woodland Boulevard
Deland, FL 32720

KEVIN J. THIBAULT, P.E.
SECRETARY

Donation of Property to the Florida Department of Transportation

City of Winter Park, a Florida Municipal Corporation
1605 W. Fairbanks Ave.
Winter Park, FL 32789-4603

ITEM/SEGMENT NO.:	4411971
MANAGING DISTRICT:	5
F.A.P. NO.:	
STATE ROAD NO.:	426
COUNTY:	Orange
PARCEL NO.:	100 and 101
INTEREST CONVEYED:	FEE SIMPLE

This is to advise that the undersigned, as owner of the property or property interest referenced above and as shown on Right of Way maps for referenced project, desires to make a voluntary donation of said property or property interest to the State of Florida for the use and benefit of the Florida Department of Transportation.

The undersigned hereby acknowledges that he/she has been fully advised by a Department representative of his/her right to have the referenced property or property interest appraised, to accompany the appraiser during the appraisal inspection of the property, to receive full compensation for the above referenced property, and to receive reimbursement for reasonable fees and costs incurred, if any. Having been fully informed of the above rights, I hereby waive those rights unless otherwise noted below.

____
Owner's Signature

____
Type or Print Property Owner's Name

____
Street Address

____
City, State, Zip Code

____
Date

Florida Department of Transportation

**INSTRUCTIONS FOR COMPLETION OF THE
DONATION OF PROPERTY TO THE
FLORIDA DEPARTMENT OF TRANSPORTATION (FORM 575-030-12)**

This form should be printed on official DOT letterhead.

DATE AND INSIDE ADDRESS: Space is provided for a date and inside address of the property owner.

PROJECT/PARCEL INFORMATION: The following information can be located in the legal documents and Right of Way map for each project and is required on official Department forms:

Item/Segment No.
Managing District
F.A.P. No.
State Road No.
County
Parcel No.

OWNER'S SIGNATURE BLOCK: The owner must sign and provide an address and date before the Department can accept the donation.

ORIGINAL: Parcel File

COPIES: Owner(s)

PARCEL No. 100.1
SECTION 75006
F.P. NO. 441197 1
STATE RD 426
COUNTY ORANGE

ORDINANCE NO. ______

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE CONVEYANCE OF THE CITY OWNED PROPERTY LOCATED ADJACENT TO STATE ROAD 426 DESCRIBED ON EXHIBIT "A"; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, Section 2.11 of the Charter of the City of Winter Park, Florida, authorizes the City Commission, by ordinance to convey or authorize by administrative action the conveyance of any lands of the City of Winter Park ("City"); and

WHEREAS, the City is the owner of that certain land more particularly described on the attached Exhibit "A" (hereinafter the "Property"); and

WHEREAS, the Property abuts the north right of way of State Road 426, Section No. 75006, F.P. No. 441197-1, in Orange County, Florida; and

WHEREAS, the Florida Department of Transportation (hereinafter "FDOT") proposes to make certain improvements to said section of State Road 426 and needs the Property in order to complete such improvements; and

WHEREAS, provided the Property is used for said improvements to State Road 426, the City has determined it is not needed for municipal purposes and should be conveyed to FDOT.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER PARK:

SECTION 1. RECITALS. The above recitals are incorporated herein by reference and made a part of this Ordinance.

SECTION 2. APPROVAL. The City Commission of the City of Winter Park hereby approves the transfer and conveyance of the Property to FDOT.

<u>SECTION 3. CONVEYANCE.</u> This Ordinance shall constitute the authorization by the City Commission pursuant to Section 2.11 of the Charter of the City of Winter Park, Florida, to convey the Property to FDOT and for the Mayor or the City Manager to execute the deed of conveyance on behalf of the City along with any other documents necessary to effectuate the intent of this Ordinance.

<u>SECTION 4. CONFLICTS.</u> If any Ordinances or parts of Ordinances conflict with any of the provisions of this Ordinance, the provisions of this Ordinance shall control.

<u>SECTION 5. EFFECTIVE DATE.</u> This Ordinance shall become effective immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this ____ day ____________________, 2020.

____
Mayor Steven Leary

ATTEST:

____
City Clerk, Rene Cranis

EXHIBIT "A"

THAT PART OF:

"Lots 7, 8, 9, 10, 11, 13, 14, 15, 16, 17 and 18, Block 1, LAKE ISLAND ESTATES, according to the map or plat thereof as recorded in Plat Book M, Page 95, Public Records of Orange County, Florida.

TOGETHER with that portion of the vacated alley running East and West through Block 1, more particularly described as follows:

BEGINNING at the Northwest corner of Lot 7, Block 1, LAKE ISLAND ESTATES, according to the map or plat thereof recorded in Plat Book M, Page 95, Public Records of Orange County, Florida, thence North along the West line of said Lot 7 extended a distance of.10 feet, more or less, to the Southwest corner of Lot 18, Block 1; thence East along the South line of Lots 18, 17, 16, 15, 14 and 13 to the Southeast corner of Lot 13, Block 1; thence South along the East line of Lot 13 extended South a distance of five feet, more or less, to the center line of said alley; thence Westerly along a line equal distance from the South line of Lot 13 and the North line of Lot 12, a distance of 59.7 feet, more or less, to a point of intersection with the East line of Lot 11 extended North; thence South along the extension of the East line of Lot 11 extended North a distance of five feet, more or less, to the Northeast corner of Lot 11; thence Westerly along the North line of Lots 11, 10, 9, 8 and 7 to the Northwest corner of Lot 7, being also the Point of Beginning."

(Being a portion of those lands described in Document #20160249822, Public Records of Orange County, Florida)

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at a 3"x3" concrete monument with no identification marking the Northeast corner of Lot 13, Block 1 of Lake Island Estates, as recorded in Plat Book "M", Page 95 of the Public

Records of Orange County, Florida; thence North 89°39'20" West along the Northerly line of Lots 13, 14, 15, 16, 17, and 18, Block 1 of said Lake Island Estates, a distance of 309.70 feet to the Northwest corner of said Lot 18, Block 1; thence South 00°48'20" East along the Westerly line of said Lot 18, Block 1, and Lot 7 of said Block 1, a distance of 234.36 feet to the POINT OF BEGINNING; thence departing said Westerly line South 89°36'46" East along the Northerly line of the South 20.00 feet of Lots 7, 8, 9, 10, and 11, Block 1 of said Lake Island Estates, a distance of 250.00 feet to the Easterly line of said Lot 11, Block 1; thence departing said Northerly line South 00°48'18" East along said Easterly line, a distance of 20.00 feet to the Southeast corner of said Lot 11, Block 1, also being a point on the existing Northerly right of way line of State Road Number 426, as shown on Florida Department of Transportation Right of Way Map, Section 75006, Financial Project Number 441197 1; thence North 89°36'46" West along the Southerly line of said Lots 7, 8, 9, 10, and 11, Block 1, and said existing right of way line, a distance of 250.00 feet to the Southwest corner of said Lot 7, Block 1; thence North 00°48'20" West along the Westerly line of said Lot 7, Block 1, a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 5,000 square feet, more or less.

This legal description prepared under the direction of:

William H. Fulghum, PLS #4993
Volkert, Inc. LB 4641
3501 South Main Street Gainesville, FL 32601
Date: March 26, 2019

PARCEL No. 101.1
SECTION 75006
F.P. NO. 441197 1
STATE RD 426
COUNTY ORANGE

ORDINANCE NO. ______

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AUTHORIZING THE CONVEYANCE OF THE CITY OWNED PROPERTY LOCATED ADJACENT TO STATE ROAD 426 WITHIN THE RIGHT OF WAY OF HARPER STREET MORE PARTICULARLY DESCRIBED ON EXHIBIT "A"; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, Section 2.11 of the Charter of the City of Winter Park, Florida, authorizes the City Commission, by ordinance to convey or authorize by administrative action the conveyance of any lands of the City of Winter Park ("City"); and

WHEREAS, the City is the owner of that certain land more particularly described on the attached Exhibit "A" (hereinafter the "Property"); and

WHEREAS, the Property abuts the north right of way of State Road 426, Section No. 75006, F.P. No. 441197-1, in Orange County, Florida; and

WHEREAS, the Florida Department of Transportation (hereinafter "FDOT") proposes to make certain improvements to said section of State Road 426 and needs the Property in order to complete such improvements; and

WHEREAS, provided the Property is used for said improvements to State Road 426, the City has determined it is not needed for municipal purposes and should be conveyed to FDOT.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER PARK:

SECTION 1. RECITALS. The above recitals are incorporated herein by reference and made a part of this Ordinance.

SECTION 2. APPROVAL. The City Commission of the City of Winter Park hereby approves the transfer and conveyance of the Property to FDOT.

SECTION 3. CONVEYANCE. This Ordinance shall constitute the authorization by the City Commission pursuant to Section 2.11 of the Charter of the City of Winter Park, Florida, to convey the Property to FDOT and for the Mayor or the City Manager to execute the deed of conveyance on behalf of the City along with any other documents necessary to effectuate the intent of this Ordinance.

SECTION 4. CONFLICTS. If any Ordinances or parts of Ordinances conflict with any of the provisions of this Ordinance, the provisions of this Ordinance shall control.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this ____ day_____________, 2020.

____
Mayor Steven Leary

ATTEST:

____
City Clerk, Rene Cranis

S:\AKA\CLIENTS\Winter Park\Public Works Department W600-26039\FDOT donation (Fairbanks and Harper -Verax)\Ordinance Authorizing Conveyance to FDOT (Parcel 101) 3.25.20.docx

EXHIBIT "A"

THAT PART OF:

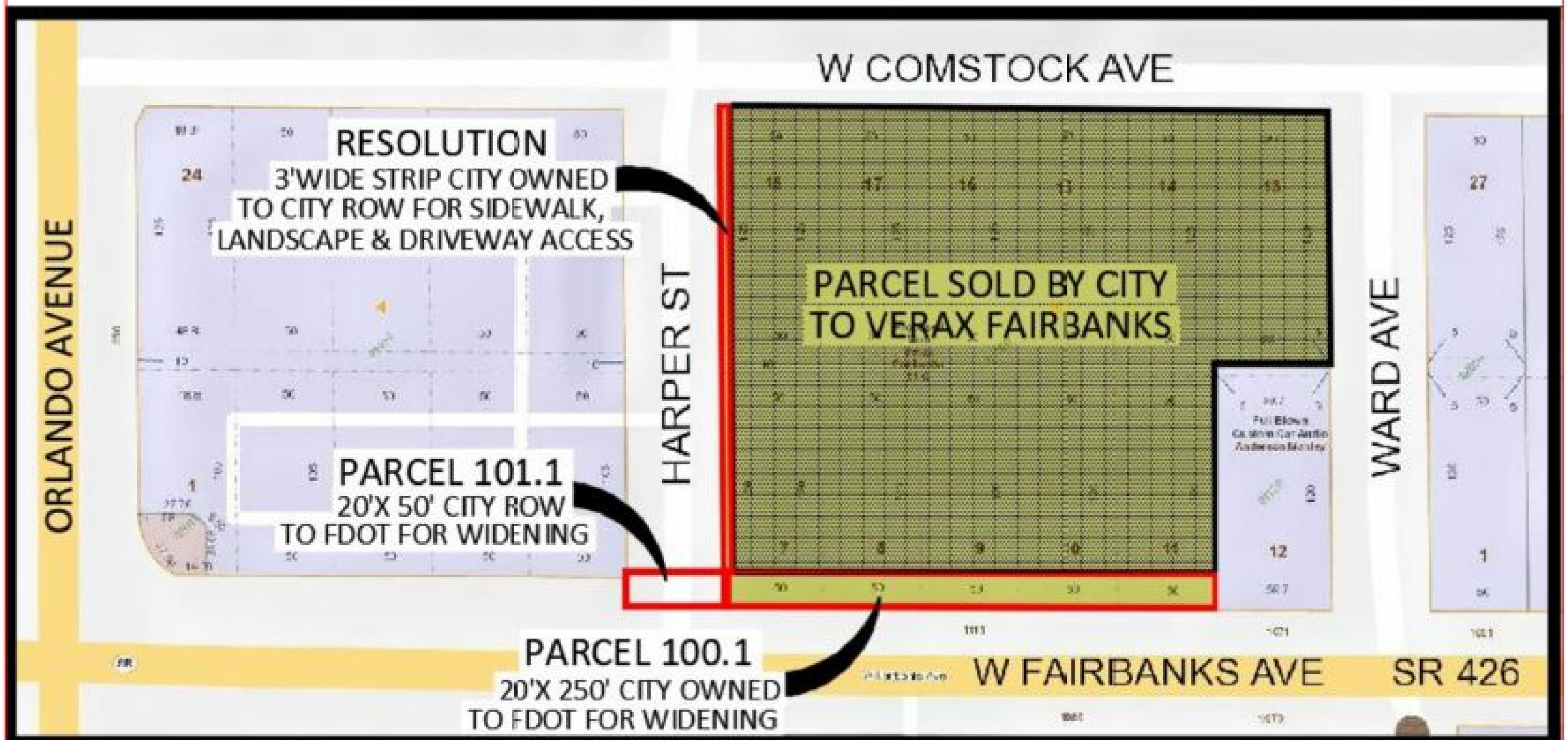
Being a portion of Harper Street, a 50.00 feet wide dedicated public right of way acquired by Eminent Domain Judgement recorded in Minute Book 8, page 479 of the Records of Orange County, Florida

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at a 3"x3" concrete monument with no identification marking the Northeast corner of Lot 13, Block 1 of Lake Island Estates, as recorded in Plat Book "M", Page 95 of the Public Records of Orange County, Florida; thence North 89°39'20" West along the Northerly line of Lots 13, 14, 15, 16, 17, and 18, Block 1 of said Lake Island Estates, a distance of 309.70 feet to the Northwest corner of said Lot 18, Block 1; thence South 00°48'20" East along the Westerly line of said Lot 18, Block 1, and Lot 7 of said Block 1, a distance of 234.36 feet to the POINT OF BEGINNING; thence continue along said West line of Lot 7, Block 1, a distance of 20.00 feet to the Southwest corner of said Lot 7, Block 1; thence North 89°36'46" West along a westerly projection of the existing Northerly right of way line of State Road Number 426, as shown on Florida Department of Transportation Right of Way Map, Section 75006, Financial Project Number 441197 1 a distance of 50.00 feet; thence North 00°48'21" West 20.00 feet to a westerly projection of the Northerly line of the South 20.00 feet of Lots 7, 8, 9, 10, and 11, said Block 1 of Lake Island Estates; thence South 89°36'46" East along said projection 50.00 feet to the POINT OF BEGINNING.

Containing 1,000 square feet, more or less.

EXHIBIT
ROW DEDICATIONS



city commission agenda item

item type Public Hearings	meeting date 6/22/2020
prepared by Planning	approved by City Manager, City Attorney
board approval final vote	
strategic objective Exceptional Quality of Life, Intelligent Growth and Development	

subject

Micromobility Prohibitions

Ordinance - Prohibitions on use of micromobility devices and motorized scooters (First Reading)

motion / recommendation

Recommendation is to approve the Ordinance as presented.

background

Staff brought a draft of the Micromobility Prohibition Ordinance to the Commission for review at their last meeting on June 8th. Following that discussion, and per the Commission direction, the city attorney has made edits to the attached Ordinance for adoption. Following the adoption of this Ordinance, staff will bring back the discussion of how and where to permit micromobility devices to the Transportation Advisory Board (TAB).

alternatives / other considerations

N/A

fiscal impact

N/A

ATTACHMENTS:

Description	Upload Date	Type
Micromobility Prohibition Ordinance	6/16/2020	Ordinance

ORDINANCE NO. __________

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 98 OF THE WINTER PARK CODE PROHIBITING THE OBSTRUCTION OF STREETS, RIGHT-OF-WAYS AND SIDEWALKS BY, AND PROHIBITING USE OF, MICROMOBILITY DEVICES AND MOTORIZED SCOOTERS WITHIN THE CITY EXCEPT ALLOWING USE OF SUCH DEVICES AND SCOOTERS IN CERTAIN RESIDENTIAL AREAS, AND PROHIBITING THE STAGING OF MICROMOBILITY DEVICES AND MOTORIZED SCOOTERS ON PUBLIC PROPERTY; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Park (the "City") recognizes that the passage of HB 453 has expanded the rights of motorized scooter and micromobility device operators within the state and expanded the areas where micromobility device and motorized scooter operators may operate these devices under Section 316.2128, Florida Statutes; and

WHEREAS, Section 316.2128, Florida Statutes provides operators of motorized scooters and micromobility devices with the same rights and duties of the operator of a bicycle; and

WHEREAS, the City finds the proliferation of motorized scooters and micromobility device has dramatically increased the risk of traffic related injuries and fatalities to micromobility device and motorized scooter operators due to the risk of motor vehicle collisions with micromobility device and motorized scooter operators as well as micromobility device and motorized scooter operators colliding with pedestrians on sidewalks; and

WHEREAS, the brick lined streets, narrow sidewalks, high pedestrian traffic, and high volume arterial roadways within the City of Winter Park create unique hazards to pedestrians and operators of micromobility devices, motorized scooters, and bicycles not present in most cities; and

WHEREAS, operation of micromobility devices and motorized scooters is not compatible with the uses and activities within the Central Business District and the Hannibal Square Neighborhood Commercial District as defined by Article I, Chapter 58 of the Comprehensive Plan due to high volumes of pedestrian and vehicle traffic; and

WHEREAS, motorized scooters and micromobility devices present a greater risk to riders and pedestrians than devices propelled by human power such as bicycles; and

WHEREAS, a study conducted by the Journal of American Medicine found that 94.3% of observed micromobility device riders were not wearing helmets and that only 4.4% of micromobility device riders admitted to the hospital were wearing a helmet at the time of the accident; and

WHEREAS, micromobility devices, motorized scooters, and bicycles parked improperly create dangerous conditions for pedestrians, particularly the disabled residents of the City; and

WHEREAS, Section 316.2128, Florida Statutes expressly reserves local authority and jurisdiction to regulate micromobility devices and motorized scooters to the extent authorized by Section 316.008, Florida Statutes; and

WHEREAS, the City recognizes that Section 316.008(1)(a), Florida Statutes authorizes municipalities to regulate or prohibit "stopping, standing, or parking," that Section 316.008(1)(h), Florida Statutes authorizes municipalities to regulate bicycles, that Section 316.008(1)(n), Florida Statutes authorizes municipalities to prohibit or regulate the use of "heavily traveled streets by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic"; and

WHEREAS, the City recognizes that Section 316.008(7)(a), Florida Statutes authorizes municipalities to "permit, control, or regulate" vehicles operating on sidewalks including micromobility devices, bicycles, and motorized scooters; and

WHEREAS, notwithstanding that Section 316.1995, Florida Statutes, with limited exceptions, prohibits operation of vehicles on sidewalks, including micromobility devices and motorized scooters except to the extent a micromobility device or motorized scooter is propelled by human power, and this Ordinance reiterates such prohibitions; and

WHEREAS, the City recognizes the First District Court of Appeals recently upheld a total prohibition on motorized scooter rentals within the City of Panama City Beach in *Classy Cycles, Inc. v. Pan. City Beach*, 2019 Fla. App. LEXIS 16995; and

WHEREAS, the City finds a comprehensive regulatory scheme is necessary to mitigate the risks and dangers posed by motorized scooters and micromobility devices within the City; and

NOW THEREFORE, BE IT ENACTED BY THE CITY OF WINTER PARK:

SECTION 1: Recitals. The above recitals are true and correct, are adopted and incorporated herein, and constitute the legislative findings and legislative intent of the City Commission of the City of Winter Park

<u>SECTION 2</u>: <u>Amendment.</u> That Chapter 98 "Traffic and Vehicles" of the City of Winter Park Code of Ordinances is hereby amended as shown below (<u>underlined</u> language are additions; ~~stricken through~~ language are deletions; provisions not shown are not being amended):

Chapter 98. Traffic and Vehicles.

Article I. – In General

Sec. 98-2. – Definitions.

The following words and phrases, when used in this chapter, shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except when the context otherwise requires. Whenever any words and phrases used in this chapter are not defined in this section but are defined in the state laws regulating the operation of vehicles, any such definition in state law shall be deemed to apply to such words and phrases used in this chapter, except when the context otherwise requires.

<u>*Bicycle* means every vehicle propelled solely by human power, and every motorized bicycle propelled by a combination of human power and an electric helper motor capable of propelling the vehicle at a speed of not more than 20 miles per hour on level ground upon which any person may ride, having two tandem wheels, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels. The term does not include such a vehicle with a seat height of no more than 25 inches from the ground when the seat is adjusted to its highest position or a scooter or similar device.</u>

<u>*Central Business District* shall have the same meaning as defined within the maps of the Central Business District adopted in the definitions section of the Comprehensive Plan of the City, article I, chapter 58 and is generally that part of the city bordered by Webster Avenue on the north, Interlachen Avenue on the east, Fairbanks Avenue on the south and New York Avenue on the west.</u>

Commercial vehicle means every vehicle designed, maintained or used primarily for the transportation of property and which displays lettering thereon advertising the owner of the vehicle.

Freight curb loading zone means a space adjacent to a curb for the exclusive use of commercial vehicles during the loading or unloading of freight.

<u>*Hannibal Square Neighborhood Commercial District* shall have the same meaning as defined within the maps of the Hannibal Square Neighborhood Commercial District adopted in the definitions section of the Comprehensive Plan of the City, article I, chapter 58 and is generally that part of the city fronting on New England Avenue, Hannibal Square, Morse Boulevard and Pennsylvania Avenue.</u>

Motorized scooter means any vehicle or micromobility device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on not more than three wheels, and which is not capable of propelling the vehicle at a speed greater than 20 miles per hour on level ground as defined by Fla. Stat. § 316.003(45).

Micromobility device means any motorized transportation device made available for private use by reservation through an online application, website, or software for point-to-point trips and which is not capable of traveling at a speed greater than 20 miles per hour on level ground as defined by Fla. Stat. § 316.003(38).

Parkway means that portion of a street not designated or intended for the use of pedestrians and located between the curb and the adjacent property lines or between the edge of pavement and the adjacent property lines where there is no curb or between the established vehicular traveled way and the adjacent property lines on unpaved streets.

Passenger curb loading zone means a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

Sidewalk means that portion of a street between the curbline, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians.

Stage or Staging means the parking and or placing of micromobility devices and motorized scooters on public property for the purpose of advertising or displaying such micromobility devices to the general public for use or rental.

Traffic division means the traffic division of the police department or, if a traffic division is not established, the term shall be deemed to refer to the police department.

Sec. 98-7. – Bicycles, micromobility devices and motorized scooters obstructing streets or sidewalks.

No bicycle, micromobility device or motorized scooter shall be parked, staged, abandoned or otherwise left upon any street, right-of-way or sidewalk in such a manner as to obstruct traffic, either of vehicles or pedestrians, or to obstruct any stopping or parking space.

Sec. 98-8. – Motorized Scooters and micromobility devices.

(a) *Prohibition.* It shall be unlawful to operate any motorized scooter or micromobility devices upon the roadways, sidewalks, bicycle paths or right-of-ways of the City unless expressly permitted Section 98-8. It shall be unlawful to operate any motorized scooter or micromobility device within the Central Business District or Hannibal Square Neighborhood Commercial District without limitation or exception.

(b) *Permitted areas*. Except as otherwise prohibited by Chapter 98 or other provision of the City Code or Florida law, motorized scooters and micromobility devices may be operated within residential neighborhoods zoned R-1A, R-1AA, R-1AA, or R-2.

Sec. 98-9. – Micromobility device and motorized scooter staging.

(a) *Prohibition*. It shall be unlawful to stage micromobility devices and motorized scooters within the limits of the City.

Secs. ~~98-8~~ 98-10 – 98-30. – Reserved.

SECTION 3. INCONSISTENCY. If any Ordinances or parts of Ordinances are in conflict herewith, this Ordinance shall control to the extent of the conflict.

SECTION 4: SEVERABILITY. If any section, subsection, sentence, clause, phrase, provision, or word of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then such invalidity or unconstitutionality shall not be held to invalidate or impair the validity, force, or effect of any other remaining provisions of this Ordinance.

SECTION 5: CODIFICATION. Section 2 of this Ordinance shall be codified and made a part of the City of Winter Code or Ordinances, and the sections of this Ordinance may be renumbered or re-lettered to accomplish this intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

SECTION 6: EFFECTIVE DATE. This Ordinance shall become effective immediately following approval by the City Commission at its second reading.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this ______ day of ________________, 2020.

____
Mayor Steve Leary

ATTEST:

____
Rene Cranis, City Clerk

city commission **agenda item**

item type Public Hearings	meeting date 6/22/2020
prepared by Assistant City Manager	approved by
board approval final vote	
strategic objective	

subject
Resolution 2232-20

Changing regular Commission meeting day from Monday to Wednesday at 3:30 p.m.

motion / recommendation
Adopt resolution

background
In its June 8th meeting, the Commission agreed by consensus to change the regular Commission meeting day from Monday to Wednesday. This resolution changes the day but keeps the meeting time at 3:30 p.m.

alternatives / other considerations

fiscal impact
None

ATTACHMENTS:

Description	Upload Date	Type
Resolution	6/16/2020	Backup Material

RESOLUTION 2232-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA ESTABLISHING THE TIME FOR REGULAR MEETINGS AS PROVIDED FOR IN ARTICLE II, SECTION 2.08, OF THE CITY CHARTER.

WHEREAS, Article II, Section 2.08 of the Charter of the City of Winter Park grants to the City Commission the authority to establish the times for regular meetings, which must be at least once each month, and

WHEREAS, the City Commission has previously held regular meetings on the second and the fourth Monday of each month, and

WHEREAS, the City Commission deems it to be more convenient to meet on the second and fourth Wednesday of each month.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA AS FOLLOWS:

Section 1. Regular meetings of the City Commission shall be held in the Commission Chamber, Winter Park City Hall, unless otherwise noticed, on the second and fourth Wednesday of each month at 3:30 p.m.

Section 2. This Resolution shall take effect July 1, 2020.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 22nd day of June, 2020

____
Mayor Steven Leary

ATTEST:

____
City Clerk Rene Cranis

city commission agenda item

item type City Commission Reports	meeting date 6/22/2020
prepared by Assistant City Manager	approved by
board approval final vote	
strategic objective	

subject

Commissioner Weaver

Request to discuss and reconsider the vote on the GAI contract for the OAO data and analysis work.

motion / recommendation

background

alternatives / other considerations

fiscal impact

ATTACHMENTS:

Description	Upload Date	Type
GAI Scope	6/18/2020	Backup Material

GAI
Orange Avenue Overlay (OAO) Studies
June 2, 2020

Task 1: Comparable Development Studies

GAI will Identify development projects in Central Florida with a range of heights and FAR similar to proposed elements of the OAO. GAI will prepare summaries of up to eight (8) projects, preferably built within last ten years, with key elements including:

- Height range: 3 to 5 stories
- FAR range: 0.6 to 2.0 (including garage in FAR calculation)
- Site size range: 4 to 5 acres (targeting 4.2 to 4.8 acres)
- Adjacency to major roadway
- Mixed-use component (generally commercial at ground floor with residential above, but may vary depending on project)

Deliverable:

As a result of this task, GAI will produce a graphic and written summary of each development project. The summary is anticipated to include a location/context map, recent aerial photograph with the project site highlighted, hand sketch of building massing, tabular summary of key data (e.g. height, FAR, program, setbacks, and open space), and character photographs. GAI will present the material to the City Commission one time.

Task 2: Massing Studies

GAI will develop three massing studies for each of two sites (Holler and Demetree) for the purpose of illustrating a range of height and FAR. The program for all studies will be confirmed with City prior to commencement of the task. Conceptually, the three studies will be:

- Current standards – allowable under existing FLU and Zoning
- Median – FAR of 1.3 to 1.5 including garage
- Maximum – as directed by City Commission (Holler: FAR 2.0 including garage, 3-stories within 100’ of Fairbanks, 4-stories on remainder of site. Demetree: FAR 2.0 including garage, 5-stories)

Each study will include:

- Hand-drawn site plan showing buildings, parking, open space
- SketchUp massing model of the site plan and surrounding context (approximately 500’) *(Note that model will be simple massing, not including windows, storefronts, etc… but will include rough roof forms for purposes of illustrating height implications)*
- Tabular summary of key data consistent with data prepared for comparable development studies in Task 1
- One (1) before/ after computer rendering on eye-level photo base to illustrate height at public right-of-way (Note: architecture will be as plain as possible while fitting within context of what is seen in other Winter Park architecture and views will be as similar as possible between the two sites)

The plan and massing models will be developed at a rough level and reviewed with staff in a workshop format. The outcome of this meeting will be a single refined plan for each study that will be the basis of the eye-level rendering.

Deliverable:
As a result of this task, GAI will produce a graphic and written summary of the above material in PDF and PowerPoint format suitable for use in public presentations and work sessions. GAI will present the material to the City Commission one time.

Task 3: Financial and Economic Analysis
GAI will provide rough order of magnitude estimate of cost for each item listed on the menu of incentives as proposed under the OAO. The costs will be developed using data from a range of sources appropriate to each proposed item. Costs will be presented in tabular format.

In order to quantify the market value of an increase in allowable FAR, GAI will develop pro forma models for prototypical development within the OAO using a hypothetical construct for meeting base and maximum FAR, under scenarios to be determined. The parameters of development for all proposed scenarios will be confirmed with City staff prior to commencement of the task. The analysis will include:

- Detailed pro forma estimates, including land value based on a residual land value calculation
- Tabular summary of changes in financial performance attributable to increased FAR
- A summarized calculation of value from a 1% change in FAR (effectively a calculation of elasticity in terms of development profit)
- A general summary of how market and non-market values of incentives align with potential value created by changes in FAR

Deliverable:
As a result of this task, GAI will produce written summary of the above material in PDF and PowerPoint format suitable for use in public presentations and work sessions. GAI will present the material to the City Commission one time.

Task 4: Meetings and Representation
The presentation of findings to City Commission is included in Tasks 1, 2, and 3. GAI will support any requested public presentations and/or public meetings as directed by the City.

Budget
Compensation for Tasks 1-4 will be as noted in the table below.

Task	Terms	Fee
Task 1: Comparable Development Studies	Lump Sum	$12,000
Task 2: Massing Studies	Lump Sum	$77,000
Task 3: Financial and Economic Analysis	Lump Sum	$19,800
Total		$108,800
Task 4: Meetings and Representation	Hourly	TBD by City direction